



**Request for City Council Committee Action
From the City Attorney's Office**

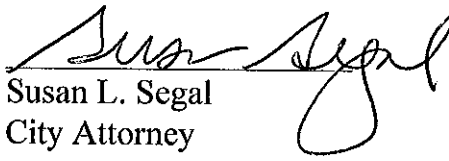
Date: October 9, 2012
To: Ways & Means/Budget Committee
Referral to:

Subject: Riley B. Housley, III v. City of Minneapolis
Court File No.: 27-CV-11-17288

Recommendation: That the City Council approve the settlement of this case by payment of \$63,000.00 payable to Riley B. Housley, III and his attorney, R. Donald Hawkinson, from Fund/Org. 06900-1500100-145690 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: None

Prepared by: Thomas J. Miller Phone: (612) 673-2897

Approved by: 
Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact:(Check those that apply)

☐ No financial impact (If checked, go directly to Background/Supporting Information).

☐ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.

☐ Action provides increased revenue for appropriation increase.

☐ Action requires use of contingency or reserves.

☐ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.

☒ Other financial impact (Explain): \$63,000.00 from Fund/Org. 06900-1500100-145690

☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

On February 11, 2011, a City water main ruptured on Lowry Avenue between Second and Third Street Northeast. The street in that area buckled releasing water into the basements of some homes and businesses. The claimant, Riley B. Housley, III, owns a mixed-use building located at 204 Lowry Avenue Northeast. The building is a home and business location for Mr. Housley. The street level of the building and the basement were impacted by the rupture. The building sustained mold, structural and personal property damage and loss of business use time.

Following exhaustive negotiations, we have reached a tentative settlement of Mr. Housley's property damage claim against the City in the amount of \$63,000.00. This proposed settlement has been discussed with the Public Works Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 11-18075